

UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

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IN RE:	:	
	:	
Felicia Neal	:	Case No.: 20-10649(AMC)
	:	
Debtor	:	Chapter 13

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**MOTION TO DETERMINE VALUE**

1. Movant is the debtor in the above-captioned case. And now, comes the movant, by and through their counsel, Brad J. Sadek, and moves as follows:

2. Respondent is Ally Bank, with an address where notices are to be sent at PO Box 130424 Number Street Roseville MN 55113-0004. See Proof of Claim attached hereto and marked as **Exhibit "A."**

3. This is a motion to seek a determination of Respondent's secured claim for a (2014 Buick Encore VIN: KL4CJCSB3EB664759) ("Vehicle"). The vehicle was purchased on May 25<sup>th</sup>, 2016. The vehicle has approximately 45,000 miles and is in poor condition.

4. Creditor filed a proof of claim alleging that the amount of the claim as of the date of filing was \$13,750.00. See Proof of Claim **Exhibit "A."**

5. However, Debtors contend that the value of the Vehicle is not more than \$8,275.00 not including any interest. The condition of the vehicle currently impacts this value as well. A copy of the Kelley Blue Book value is attached hereto as **Exhibit "B."**

6. Debtor further requests the interest rate be reduced to 6.25%.

7. Movant requests that the interest be modified to 6.25%. This interest rate is equal to the "prime plus rate" as required by Till V. SCS Credit Corp., 124 S.Ct. 951 (2004).

**WHEREFORE**, movant moves that this Honorable Court enter an order disallowing the Proof of Claim as filed by Respondent, and enter an Order consistent with the Movant's proposed Order to protect movant's right to a fresh start.

Dated: August 25, 2020

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